

§ 52.1988

40 CFR Ch. I (7–1–14 Edition)

§ 52.1988 Air contaminant discharge permits.

(a) Except for compliance schedules under OAR 340–200–0050, emission limitations and other provisions contained in Air Contaminant Discharge Permits issued by the State in accordance with the provisions of the Federally-approved rules for Air Contaminant Discharge Permits (OAR chapter 340, Division 216), Plant Site Emission Limit (OAR chapter 340, Division 222), Alternative Emission Controls (OAR 340–226–0040) and Public Participation (OAR chapter 340, Division 209), shall be applicable requirements of the Federally-approved Oregon SIP (in addition to any other provisions) for the purposes of section 113 of the Clean Air Act and shall be enforceable by EPA and by any person in the same manner as other requirements of the SIP. Plant site emission limits and alternative emission limits (bubbles) established in Federal Operating Permits issued by the State in accordance with the Federally-approved rules for Plant Site Emission Limit (OAR chapter 340, Division 222) and Alternative Emission Controls (OAR 340–226–0040), shall be applicable requirements of the Federally-approved Oregon SIP (in addition to any other provisions) for the purposes of section 113 of the Clean Air Act and shall be enforceable by EPA and by any person in the same manner as other requirements of the SIP.

(b) Emission limitations and other provisions contained in Air Contaminant Discharge Permits and Federal Operating Permits established by the Lane Regional Air Pollution Authority pursuant to the rules applicable to sources required to have ACDP or Title V Operating Permits (Title 34, Sections 050, 060 (except for 060(6) “Plant Site Emission Limits for Sources of Hazardous Air Pollutants” and 060(8) “Alternative Emission Controls (Bubble)”), and 070) and the rules applicable to sources required to have air contaminant discharge permits (ACDP) (Title 34, Sections 090 through 150), shall be applicable requirements of the Federally-approved Oregon SIP (in addition to any other provisions) for the purposes of Section 113 of the Clean Air Act and shall be enforceable by EPA

and by any person in the same manner as other requirements of the SIP.

[62 FR 10462, Mar. 7, 1997, as amended at 66 FR 40622, Aug. 3, 2001; 68 FR 2909, Jan. 22, 2003]

§ 52.1989 Interstate Transport for the 1997 8-hour ozone NAAQS and 1997 PM_{2.5} NAAQS.

(a) On June 23, 2010 and December 22, 2010, the Oregon Department of Environmental Quality submitted a SIP revision, adopted by the Oregon Environmental Quality Commission on April 30, 2010, to meet the requirements of Clean Air Act section 110(a)(2)(D)(i). EPA approves the portion of this submittal relating to significant contribution to nonattainment of the NAAQS in any other state and interference with maintenance of the NAAQS by any other state. EPA also approves the portion of the submittal addressing the requirement in Clean Air Act section 110(a)(2)(D)(i)(II) that a state not interfere with any other state’s required measures to prevent significant deterioration (PSD) of its air quality (the third PSD element).

(b) On December 20, 2010, the Oregon Department of Environmental Quality submitted a Regional Haze SIP revision, adopted by the Oregon Environmental Quality Commission on December 9, 2010. EPA approves the portion of this submittal relating to section 110(a)(2)(D)(i)(II) as it applies to visibility for the 1997 8-hour ozone NAAQS and 1997 PM_{2.5} NAAQS. The SIP revision also meets the requirements of Clean Air Act section 169A and 40 CFR 51.308(e) regarding Best Available Retrofit Technology and the requirements of 40 CFR 51.308(d)(2) and (d)(4)(v) regarding the calculation of baseline and natural conditions for the Mt. Hood Wilderness Area, Mt. Jefferson Wilderness Area, Mt. Washington Wilderness Area, Kalmiopsis Wilderness Area, Mountain Lakes Wilderness Area, Gearhart Mountain Wilderness Area, Crater Lake National Park, Diamond Peak Wilderness Area, Three Sisters Wilderness Area, Strawberry Mountain Wilderness Area, Eagle Cap Wilderness Area, and Hells Canyon Wilderness Area, and the statewide inventory of

Environmental Protection Agency

§§ 52.1992–52.2019

emissions of pollutants that are reasonably anticipated to cause or contribute to visibility impairment in any mandatory Class I Federal Area.

[76 FR 33651, June 9, 2011, as amended at 76 FR 39005, July 5, 2011; 76 FR 80754, Dec. 27, 2011]

§ 52.1990 Interstate Transport for the 2006 24-hour PM_{2.5} NAAQS.

(a) EPA approves the portion of Oregon's SIP revision submitted June 23, 2010, and December 22, 2010 (referenced in § 52.1989(a)) addressing the requirement in Clean Air Act section 110(a)(2)(D)(i)(II) that a state not interfere with any other state's required measures to prevent significant deterioration (PSD) of its air quality (the third PSD element).

(b) [Reserved]

[76 FR 80754, Dec. 27, 2011]

§ 52.1991 Section 110(a)(2) infrastructure requirements.

(a) On September 25, 2008, Oregon Department of Environmental Quality submitted a certification to address the requirements of CAA Section 110(a)(1) and (2) for the 1997 8-hour ozone NAAQS. EPA approves the submittal as meeting the following 110(a)(2) infrastructure elements for the 1997 8-hour ozone NAAQS: (A), (B), (C), (D)(ii), (E), (F), (G), (H), (J), (K), (L), and (M).

(b) On September 25, 2008, December 23, 2010, August 17, 2011, and December 19, 2011, the Oregon Department of En-

vironmental Quality submitted SIP revisions to address the requirements of CAA sections 110(a)(1) and (2) for the 1997 PM_{2.5}, 2006 PM_{2.5}, and 2008 ozone NAAQS. The EPA approves the submittals as meeting the following CAA section 110(a)(2) infrastructure elements for the 1997 PM_{2.5}, 2006 PM_{2.5}, and the 2008 ozone NAAQS: (A), (B), (C), (D)(ii), (E), (F), (G), (H), (J), (K), (L), and (M). The EPA also approves the submittals as meeting the requirements of CAA section 110(a)(2)(D)(i)(II) as it applies to prevention of significant deterioration for the 2008 ozone NAAQS, and CAA section 110(a)(2)(D)(i)(II) as it applies to visibility for the 2006 PM_{2.5} and 2008 ozone NAAQS.

[77 FR 29905, May 21, 2012, as amended at 78 FR 46516, Aug. 1, 2013]

EFFECTIVE DATE NOTE: At 79 FR 35695, June 24, 2014, § 52.1991 was amended by adding paragraph (c), effective July 24, 2014. For the convenience of the user, the added text is set forth as follows:

§ 52.1991 Section 110(a)(2) infrastructure requirements.

* * * * *

(c) On December 27, 2013, the Oregon Department of Environmental Quality submitted a SIP revision to address the requirements of CAA sections 110(a)(1) and (2) for the 2008 lead NAAQS. The EPA approves the submittal as meeting the following CAA section 110(a)(2) infrastructure elements for the 2008 lead NAAQS: (A), (B), (C), (D)(i)(II), (D)(ii), (E), (F), (G), (H), (J), (K), (L), and (M).

§§ 52.1992–52.2019 [Reserved]